



RCE/ITM
A

PATENT
ATTORNEY DOCKET NO.: 040894-5774-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Masashi SANO, et al.)	Confirmation No. 9489
)	
Application No.: 10/630,657)	Group Art Unit: 2878
)	
Filed: July 31, 2003)	Examiner: Patrick J. Lee
)	
For: PHOTO-INTERRUPTER AND)	
SEMICONDUCTOR DEVICE)	
USING THE SAME)	

Mail Stop RCE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

12/02/2004 HDEMESS1 00000074 500310 10630657

01 FC:1801 790.00 DA

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other: _____
- ☒ Enclosed:
- ☐ Preliminary Amendment Filed with RCE under 37 C.F.R. § 1.114
- ☐ Supplemental Reply
- ☐ Affidavit(s)/Declaration(s)
- ☒ Information Disclosure Statement
- ☒ Form 1449
- ☐ Other: _____

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
- ☐ Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
☐ \$395.00 (for small entity)

(b) Extension of Time

- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00

The extension of time fee for this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

(c) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	7	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$88 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$300.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of **\$790.00** for the RCE filing fee.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Additional papers enclosed:

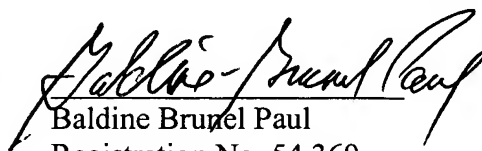
- ☐ Appointment of Associate Power of Attorney.
- ☐ Declaration of Biological Deposit.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 1, 2004

By:


Baldine Brunel Paul
Registration No. 54,369

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